

REMARKS

In the second Office Action, claims 1-41 and 47-48 were allowed and independent claim 42 and its dependent claims 43-46 were rejected.

With this amendment, independent claim 42 and its dependent claim 46 have been further amended.

Claims 1-41 And 47-48

These claims stand allowed.

Independent Claim 42 And Its Dependent Claims 43-46

Independent claim 42 was rejected in the second Office Action as being anticipated by US Patent No. 5,329,705 to Grim. This rejection is respectfully traversed as it might apply to independent claim 42 as currently amended herein.

More specifically, independent claim 42 was previously amended to set forth that Applicant's cuff member 9 in his Figure 2 is a separate member from the soft boot 7. In rejecting previously amended claim 42, the Examiner interpreted Grim's strap 28 in Grim's Figure 1 as being his cuff member. As illustrated in Grim's Figure 1, this strap member 28 extends about his upright braces 16. In previously calling for the Applicant's cuff member 9 to be a separate member from his soft boot 7, Applicant was interpreting Grim's soft boot to be the members 48,50,56 in his Figure 2 and Grim's cuff member to be his calf-embracing portion in the area of 38, which calf-embracing portion is an integral part of Grim's one-piece, soft boot/cuff member 20.

In any event, independent claim 42 has now been further amended to recite that in addition to Applicant's cuff member 9 being separate from his soft boot 7, Applicant's cuff member 9 is positioned between and within the upright braces 5 as in Applicant's Figures 11 and 12. In contrast and even considering Grim's strap 28 to be a cuff member for the sake of argument,

Grim's strap 28 clearly is positioned about and outside of his upright braces 16. Dependent claim 46 extends this distinction by calling for Applicant's strap 41 to be securable both about Applicant's upright braces 5 and about his cuff member 9.

It is respectfully submitted that amended independent claim 42 and its dependent claims 43-46 are now in condition for allowance and such action is respectfully requested.

SUMMARY

It is respectfully submitted that all of the claims now present in the case (claims 1-48) are in condition for allowance and such action is respectfully requested. If, in the opinion of the Examiner, prosecution of this application could be expedited by a telephone interview, the Examiner is respectfully requested to contact the attorney for the applicants at the telephone number listed below.

Respectfully submitted,

DORR, CARSON, SLOAN, BIRNEY & KRAMER, PC

By: W. Scott Carson
W. Scott Carson
Reg. No. 27,292
3010 East 6th Avenue
Denver, Colorado 80206
(303) 333-3010